

1 THOMAS ERICSSON, ESQ.  
Nevada Bar No. 4982  
2 ORONOZ, ERICSSON & GAFFNEY, LLC  
1050 Indigo Drive, Suite 120  
3 Las Vegas, Nevada 89145  
Telephone: (702) 878-2889  
4 Facsimile: (702) 522-1542  
5 [tom@oronozlawyers.com](mailto:tom@oronozlawyers.com)  
*Attorneys for Defendant Peraza*

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7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,  
10 Plaintiff,  
11 vs.  
12 FRANKIE ALLEN PERAZA,  
13 Defendant.

CASE NO.: 2:14-cr-00229-APG-NJK

**STIPULATION TO EXTEND TIME  
TO FILE OBJECTIONS TO THE  
MAGISTRATE COURT'S REPORT  
AND RECOMMENDATION [Dkt. 103]**

**ORDER**

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15 IT IS HEREBY STIPULATED AND AGREED by Defendant Frankie Allen Peraza,  
16 by and through his attorney, Thomas A. Ericsson, Esq., and Daniel G. Bogden, United States  
17 Attorney, and Cristina D. Silva and Elham Roohani, Assistant United States Attorneys,  
18 counsel for the United States of America, that the date for the defendant to file objections to  
19 the Magistrate's Report and Recommendation [Dkt. 103] be extended for an additional two  
20 weeks, up to and including December 30, 2016.

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22 1. On September 7, 2016, Magistrate Nancy J. Koppe filed her Report and  
23 Recommendation and recommended that Defendant's Motion to Suppress Statement [Dkt. 61]  
24 be denied.  
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2. Defense Counsel requires additional time to finalize the objections and consult with Mr. Peraza, who has requested that he be able to review the Objections before they are submitted to the court.

3. Defense counsel has been out of the office for nearly two weeks due to the flu and has been unable to visit Mr. Peraza who is in custody in Pahrump, Nevada, to discuss any changes or concerns he has with the Objections.

4. Defendant Frankie Peraza is in custody, and he has no objection to the extension of time.

5. Counsel has spoken with AUSA Elham Roohani, and she has no objection to the extension of time.

6. The additional time requested herein is not sought for purposes of delay, but merely to allow defense counsel adequate time to supplement Defendant's objections, taking into account due diligence and illness issues.

7. Additionally, denial of this request for continuance could result in a miscarriage of justice.

DATED: December 16, 2016.

/s/ Thomas A. Ericsson  
Thomas A. Ericsson, Esq.  
Oronoz, Ericsson & Gaffney, LLC  
1050 Indigo Drive, Suite 120  
Las Vegas, Nevada, 89145  
Attorney for Defendant

/s/ Elham Roohani  
ELHAM ROOHANI, Esq.  
501 Las Vegas Blvd. South, Suite 1100  
Las Vegas, Nevada, 89101  
Attorney for the United States of America

UNITED STATES OF AMERICA,  
Plaintiff,  
  
vs.  
  
FRANKIE PERAZA,  
  
Defendant.

CASE NO.: 2:14-cr-00229-APG-NJK

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

2. Defense Counsel requires additional time to finalize the objections and consult with Mr. Peraza, who has requested that he be able to review the Objections before they are submitted to the court.

4. Defendant Frankie Peraza is in custody, and he has no objection to the extension of time.

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1           6. The additional time requested herein is not sought for purposes of delay, but merely  
2 to allow defense counsel adequate time to supplement Defendant's objections, taking into  
3 account due diligence and illness issues.

4           7. Additionally, denial of this request for continuance could result in a miscarriage of  
5 justice.  
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7                           **CONCLUSIONS OF LAW**

8           For all of the above-stated reasons, the ends of justice would best be served by a  
9 continuance of the Defendant's deadline to file objections. The additional time requested  
10 herein is not sought for purposes of delay, taking into account due diligence. The failure to  
11 grant said continuance would likely result in a miscarriage of justice.

12                           **ORDER**

13           IT IS THEREFORE ORDERED that the previously-scheduled deadline for the  
14 Defendant to file objections to the Magistrate's Report and Recommendation (Dkt. 103) is  
15 extended until December 30, 2016.  
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17           Dated: December 19, 2016.

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21                           UNITED STATES DISTRICT JUDGE  
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